

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
WARREN TAVENIERE

Plaintiff,

Civil Action No. 08 CV 05514 (PKL)

- against -

**STIPULATION AND ORDER
OF REMAND**

FOSTER WHEELER, LLC *et al.*,

Defendants.
-----X

WHEREAS, Defendant Foster Wheeler, LLC ("FW") has removed this action; and


WHEREAS, FW has now agreed that this action shall be remanded to the State Court
where it was originally filed; and

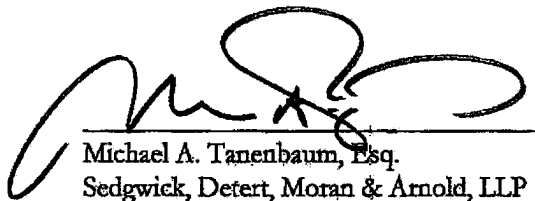
WHEREAS, no other party has sought removal, and the time to do so under 28 U.S.C.

§ 1446(b) has expired;

NOW THEREFORE, it is hereby stipulated and agreed between Plaintiff and FW that this
action shall be remanded to the State Court where it was originally filed.

Dated: July 1, 2008


Audrey P. Raphael, Esq.
Levy Phillips & Konigsberg, LLP
800 Third Ave
13th Floor
New York, NY 10022
Counsel for Plaintiff Warren Taveniere


Michael A. Tanenbaum, Esq.
Sedgwick, Detert, Moran & Arnold, LLP
Three Gateway Center, 12th Floor
Newark, New Jersey 07102
Counsel for Foster Wheeler, LLC

SO ORDERED:

PETER K. LEISURE
United States District Court Judge

Dated: _____, 2008